THE HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
THE HON'BLE SRI JUSTICE P. SWAROOP REDDY

WRIT PETITION NO.18685 OF 2007

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Date: 17.9.2007

Between:

Smt. K. Rani. … Petitioner.

And

Inspector of Police,
Anti Naxal Squad Police,
Rajahmundry, EGDT,
and another. …. Respondents.

ORAL ORDER: **(per P. Swaroop Reddy, J)**

This is a taken up writ petition on the basis of a telegram dated 24.8.2007 sent by one Smt. K. Rani W/o K. Venkateswarlu, Burugupudi Village, Korukonda Mandal, East Godavari District for production of her husband, K. Venkateswarlu, AIKMS District leader alleging that he was illegally taken away by police of East Godavari District Anti Naxal Squad on the night of 23.8.2007.

On notice being issued, a counter-affidavit has been filed by the Circle Inspector of Police, Korukonda Circle, East Godavari District saying that the alleged detenu along with some others was arrested on 27.8.2007 by the S.H.O. Gokavaram Police Station in connection with Crime N.o73 of 2007 wherein the alleged detenu was shown as A.4 for the offence punishable under section 25(1-B)(a) of Indian Arms Act, 1959, that the alleged detenu and other accused were involved in illegal activities of extorting money from the irrigation project contractors, that pursuant to their arrest they were produced before the V Additional Judicial First Class Magistrate, Rajahumdry on the same day for remand and on such production they were remanded to judicial custody, that subsequently the alleged detenu was enlarged on bail on 30.8.2007. Copies of the FIR and remand report were also filed along with the counter.

In view of the counter filed by the respondents and the FIR and remand report, the allegations made in the telegram of the petitioner that the alleged deetnu was under illegal detention of the police is

obviously false. The averments made in the counter clearly discloses that the alleged detenu was arrested in connection with a crime registered by the Gokavaram Police Station and was produced before the jurisdictional Magistrate and was later released on bail. Therefore, there are no merits in the writ petition, which is accordingly dismissed.

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A. GOPAL REDDY, J

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17th September, 2007 **P. SWAROOP REDDY, J**

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